

# Library Act

2012 No 150 28 December

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Entry into force 3 January 2013.

Any reference in this Act to “the Minister” or “the Ministry” not accompanied by express mention of or reference to a specific field of responsibility shall be understood as being a reference to the **Minister of Education, Science and Culture** or to the **Ministry of Education, Science and Culture** as responsible for the implementation of this Act.

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## Section I Aim and scope

### ■ Article 1 *Aim*

The aim of this Act is to strengthen the work and cooperation of libraries so as to allow them to better fulfil their role as repositories of knowledge and educational institutions providing dynamic and varied information services in the largest possible number of areas and, at the same time, to ensure the preservation of the cultural heritage material held in libraries.

### ■ Article 2 *Scope*

For the purposes of this Act, the term ‘libraries’ covers the National and University Library of Iceland and the Icelandic Talking Book Library, as well as libraries operated at higher education institutions, public libraries, the libraries of upper secondary and compulsory schools, speciality libraries, and the libraries of institutions operated by the state or local authorities, as appropriate.

Collectively, these libraries constitute the country’s library system. They shall have an obligation to take part in library cooperation, and their collections shall be publicly accessible to the extent possible. Information on those collections shall be accessible to everyone.

## Section II Organisation

### ■ Article 3 *Overall supervision*

The Minister shall assume overall responsibility for setting policies for and coordinating the work of libraries covered by this Act.

The Library Council shall advise the Minister and other public authorities on library-related matters.

### ■ Article 4 *Library Council*

The Minister shall appoint a Library Council for a four-year term. One member each shall be nominated by the Association of Local Authorities in Iceland and the Association of Public Library Directors; two members, representing different categories of libraries, shall be nominated by Upplýsing, the Icelandic Library and Information Science Association; and one member shall be appointed without nomination. Alternate members shall be appointed in the same manner. The same person may not be appointed as principal member of the Library Council for more than two consecutive terms.

- The Minister shall appoint the chair and the vice-chair from among the members of the Board.
- The National Librarian and the Director of the Icelandic Talking Book Library shall attend Library Council meetings with the right to speak and propose motions.
- The Council's running costs shall be borne by the Treasury.

■ **Article 5** *Remit of the Library Council*

- The remit of the Library Council includes the following:
  1. Developing, in collaboration with the National and University Library of Iceland, a policy for the work of libraries and submit it to the Minister for approval;
  2. Establishing rules regarding the compiling and processing of statistics on Icelandic libraries, to be confirmed by the Minister;
  3. Drawing up the Library Fund's award criteria, to be confirmed by the Minister;
  4. Evaluating applications for grants from the Library Fund;
  5. Undertaking other tasks related to the operation of libraries as further decided by the Minister.

**Section III Libraries and their activities**

■ **Article 6** *Purpose and role*

- Libraries are service organisations operated in the public interest and for the benefit of their owners, and not for the sake of profit. The common purpose of libraries covered by this Act is to provide access to a varied collection of library material and to make information available on different platforms. Libraries shall be a source of support for cultural and scientific activities, education, lifelong learning, industry, the Icelandic language, pleasure reading, and information literacy.
- The role of libraries is to equalise people's access to culture and knowledge. Their holdings shall emphasise the greatest possible variety in the viewpoints represented.

■ **Article 7** *Categories of libraries*

- The National and University Library of Iceland has a leadership role among Icelandic libraries. It shall serve as a catalyst of cooperation, coordination and the development of library practices and provide professional advice to other libraries, carry out research in the fields of bibliography, the history of books, and library and information science, and perform other tasks as outlined in the Act pertaining to it.
- Public libraries are cultural, information and educational institutions operated by local authorities. Every member of the general public shall be entitled to the services of a public library.
- All municipalities must offer such services in the manner stipulated in this Act. Municipalities shall employ the staff of public libraries which they operate and provide them with satisfactory premises and all necessary equipment.
- School libraries are information centres for students and teachers. School libraries shall include in their work an emphasis on improving students' and teachers' information literacy.
- Speciality libraries and the libraries of institutions operated by the state or local authorities shall serve as centres of knowledge in their respective fields.

■ **Article 8** *Public library boards*

- Every public library shall be led by a board elected by the relevant municipal council(s). The boards shall receive a mandate corresponding in length to the municipal council's electoral term. Municipal councils may appoint a single library board for all public libraries operated by the municipality or delegate responsibility for public library affairs to one of the standing committees established in the municipality's ordinance.
- The board of a library shall ensure that it operates in conformity with law and regulations and complies with professional standards in the field of library and information work.

■ **Article 9** *Joint operation of public libraries*

Municipalities may decide to operate a public library jointly in accordance with the Local Government Act. Where a library is operated jointly by two or more municipalities, a cooperation agreement shall be drawn up stipulating the division of costs, the representation of each municipality on the library's board, and the board's tasks.

■ **Article 10** *Joint operation of school and public libraries*

A public library and the library of a compulsory school may be operated jointly, provided that a written cooperation agreement is drawn up between the board of the library and the school board with the consent of the relevant municipal council(s).

A public library and the library of a school at the upper secondary or tertiary level may also cooperate contractually with regard to their financial operations or the services provided where particular circumstances make such an arrangement practical.

In the case of joint operation of school libraries and public libraries, the public should be granted unrestricted access to the library's services outside school hours and the interests of all user groups should be safeguarded.

■ **Article 11** *Staff and equipment*

The director of a library shall, where feasible, have a degree in library and information science. Libraries shall ensure, to the extent possible, that their staff have specialised education appropriate to the library's tasks.

The equipment, premises and holdings of each library shall be adapted to its particular role.

■ **Article 12** *Access and cooperation*

Libraries may set more detailed rules on the use of their holdings, including by restricting public access to those holdings. In duly justified cases libraries may require borrowers to leave a security deposit.

For the purpose of performing their role, libraries may cooperate on the provision of services to users and enter into service and cooperation agreements with each other.

■ **Article 13** *Service agreements*

The Minister may conclude service agreements with individual libraries or other parties on the provision of specialised services in particular areas, after receiving the opinion of the Library Council. Such agreements shall contain a definition of projects, the management of those projects, the term of the agreement, and the arrangements to be followed for payments to libraries for services and the review of the outcome of the projects.

■ **Article 14** *Statistics*

Libraries shall every year report to the Ministry on their finances and operations in accordance with rules laid down by the Library Council and approved by the Minister.

The Ministry may conclude service agreements with third parties for the compiling and processing of statistics on Icelandic libraries, in accordance with the abovementioned rules.

## **Section IV Icelandic Talking Book Library**

■ **Article 15** *Role*

The Icelandic Talking Book Library is in the ownership of the state and its general administration is the responsibility of the Minister.

The role of the Icelandic Talking Book Library is to provide those unable to read traditional printed text with library services through the distribution of varied library material, including learning resources, respecting the wishes and needs of the users as fully as possible.

The Icelandic Talking Book Library shall cooperate with those responsible for the organisation of library affairs, those engaged in the production and distribution of educational material, and those working in the interest of the blind or visually impaired, or that of other groups of disabled persons using the Library's services. For the purpose of performing its role

in the best way possible the Library may enter into service and cooperation agreements with such parties.

The operating costs of the Icelandic Talking Book Library shall be borne by the Treasury as further stipulated in the annual Budget Act. The Library's own revenue shall be spent for its own benefit.

■ **Article 16** *Director*

The Minister shall appoint the Director of the Icelandic Talking Book Library for a five-year term. The Director must have completed a degree from a higher education institution and possess sound knowledge of the Library's field of activity.

The Director shall be responsible for the operation and finances of the Icelandic Talking Book Library. The Director shall hire the Library's staff and act as its representative.

■ **Article 17** *Consultative group*

The Minister shall appoint a consultative group of six members to advise on the affairs of the Icelandic Talking Book Library. One representative shall be nominated by Blindrafélagid, the Icelandic organisation of the visually impaired, one by the Iceland Dyslexia Association, one by the Association of Icelandic Special Education Teachers, one by Upplýsing, the Icelandic Library and Information Science Association, and one by the National Institute for the Blind, Visually Impaired and Deafblind. Alternate members shall be appointed in the same manner. The same person may not be appointed as principal member of the consultative group for more than two consecutive terms.

The Minister shall appoint the chair and the vice-chair from among the nominated representatives.

The consultative group shall provide consultation and advice to the Director of the Icelandic Talking Book Library on the Library's policy and other issues relating to its activities.

The Director of the Icelandic Talking Book Library shall attend the meetings of the group with the right to speak and propose motions.

**Section V Library finances**

■ **Article 18** *Financial contributions to libraries*

Financial contributions to public libraries shall be decided in each municipality's annual budget.

Contributions to libraries in schools and institutions and to speciality libraries shall be decided in the budget for the relevant school, institution or speciality library owner.

Donations and financial contributions to libraries shall be tax deductible in accordance with the provisions of the Income Tax Act, No 90/2003, as amended.

■ **Article 19** *Authorisation to charge fees*

Libraries may charge fees for services rendered, such as lending, interlibrary loans, copying, photographic reproduction, specialist documentation services, document searches in databases, and loans of special collection materials.

Each library shall issue a tariff for all fees charged pursuant to the first paragraph above, after obtaining the approval of its board or the board of the relevant institution. The fees in question shall not exceed the actual cost incurred by the library concerned in providing the services, their purpose being to recoup the following cost elements:

- a. The salaries of the staff involved in providing the services;
- b. The cost of materials specifically linked to the services.

Libraries may charge per-day fines for the use of library material returned after the due date and penalties to compensate for library material lost or damaged while in the care of the borrower. Each library shall issue rules on the charging of per-day fines and penalties, after obtaining the approval of the library board or the board of the relevant institution. The rules

shall provide that per-day fines imposed on individual borrowers with regard to particular library material, and penalties to compensate for lost or damaged material, may not exceed the cost of acquiring said material. Libraries may also provide that in the case of library material which cannot be replaced the fine or penalty will be based on a fair and reasonable valuation, with the possibility of a surcharge of up to 50 per cent for material of particular importance.

Tariffs established on the basis of the second and third paragraphs above shall be made easily accessible to the borrowers.

## **Section VI Library Fund**

### **■ Article 20** *Remit and organisation*

The remit of the Library Fund is to provide support to the activities of libraries covered by this Act. For this purpose, the Fund shall award grants for specified research and for development and cooperation projects in the field of library and information affairs. The Fund may also award grants for other projects in order to strengthen the professional cooperation of libraries, including international cooperation projects with the participation of libraries covered by this Act.

The Library Fund's revenues shall consist of:

- a. a contribution from the Treasury as provided for in the annual Budget Act;
- b. other contributions.

### **■ Article 21** *Grants*

Grants from the Library Fund shall be awarded in accordance with the Fund's award rules as referred to in Article 5, point 3.

The Fund may require grants to be repaid in cases where the supported project has not been carried out in accordance with the application and other documents on which the decision to award the grant was based, where the project has not been carried out in accordance with the conditions laid down by the Fund, or where a final report has not been submitted within a year of the planned completion of the project.

The Minister shall award grants from the Library Fund on the proposal of the Library Council.

Grants from the Library Fund shall not be subject to income tax.

## **Section VII Miscellaneous provisions**

### **■ Article 22** *Issuing of Regulations*

The Minister may issue a Regulation<sup>(1)</sup> containing further provisions on the implementation of this Act as a whole, or of individual sections thereof.

<sup>(1)</sup>Regulation No 939/2013.

### **■ Article 23** *Entry into force*

This Act shall enter into force forthwith. ...

### **■ Article 24** *Amendments to other Acts. ...*

**■ Transitional provision** The posts of the employees of the Icelandic Library for the Blind shall be transferred to the Icelandic Talking Book Library; the status and rights of those employees shall not be affected by the entry into force of this Act.

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*Disclaimer: This is an English translation. The original Icelandic text, as published in the Law Gazette (Stjórnartíðindi) is the authoritative text. Should there be discrepancy between this translation and the authoritative text, the latter prevails.*